

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

ILLINOIS CENTRAL RAILWAY COMPANY,
an Illinois Corporation,

Plaintiff,

vs.

PARADE PACKAGING, INC., f/k/a
PARADE PACKAGING MATERIALS
CO., INC., a division of FORTUNE
PLASTICS, INC., a Connecticut
Corporation,

Defendant

FILED: JUNE 27, 2008

08CV 3690

JUDGE LEFKOW

MAGISTRATE JUDGE SCHENKIER
EDA

COMPLAINT

Plaintiff, Illinois Central Railroad Company, (hereinafter "IC"), by way of Complaint against defendant, PARADE PACKAGING, INC., f/k/a PARADE PACKAGING MATERIALS CO., INC., a division of FORTUNE PLASTICS, INC., a Connecticut Corporation, says:

1. The Court obtains jurisdiction in this matter pursuant to 28 USCA 1337 (a) and 49 USCA 10743(a) being a suit for interstate freight and transportation charges.
2. Plaintiff IC is an Illinois Corporation with its principal place of business at 17641 South Ashland Avenue, Homewood, Illinois 60430, doing business in several states of the United States.
3. Plaintiff, IC and its connecting carriers at all times mentioned were common carriers by railroad engaged in interstate commerce and doing business in the United States.
4. Defendant, PARADE PACKAGING, INC., f/k/a PARADE PACKAGING MATERIALS CO., INC., a division of FORTUNE PLASTICS, INC., a Connecticut Corporation, (hereinafter "PARADE"), is involved in the business of wholesale plastics, with an office at 333 Washington Boulevard, Mundelein, IL 60060.

5. The subject matter of this action stems from demurrage charges assessed under circulars and tariffs published by the plaintiff for freight services throughout the United States, performed by IC for PARADE. IC provided these services for PARADE.

6. At times between June 2005 and January 2006, IC performed the services noted in paragraph 5 above as noted in the Invoices annexed to this Complaint as Exhibit "A".

7. Pursuant to the applicable tariffs, circulars and contracts, there accrued to IC charges for these services the sum of \$13,450 US Dollars. A listing of the charges and the amount due for each is attached hereto as Exhibit "A."

8. These charges were billed and payment demanded for the services rendered by IC to PARADE at PARADE's offices at 262 S. Shadel Avenue, Mundelein, IL 60060, from where the bills have always been disputed and/or paid; however, the defendant has failed and refused to pay the bills noted in this Complaint.

WHEREFORE, plaintiff IC demands that judgment against the defendant PARADE PACKAGING, INC., f/k/a PARADE PACKAGING MATERIALS CO., INC., a division of FORTUNE PLASTICS, INC., a Connecticut Corporation, be entered on this Complaint in the amount of \$13,450.00 in US Dollars to IC, plus any additional charges that may be due at the time of hearing, together with prejudgment interest from the date of service, and for costs and disbursements of the Complaint.

Attorney for Illinois Central Railway Company

By: S/ Richard M. Kates
Richard M. Kates
Attorney for Illinois Central Railway Company
111 West Washington Street
Suite 1900
Chicago, IL 60602-2713
(312) 236-0267

CN

Invoice Optional Services

DEMURRAGE

PARADE PACKAGING MATERIAL CO
ACCTS. PAYABLE
262 S SHADDE AVE
MUNDELEIN IL 60060

Facture Services Optionnels

REDEVANCES DE STATIONNEMENT

PATRON No / N° CLIENT 636150 ZY

INVOICE / FACTURE	CUSTOMER REFERENCE NUMBER NUMERO DE RÉFÉRENCE DU CLIENT
MM/DD/YYYY 09/12/2005	NO. / N° 750883147

OS START DATE DATE DEBUT DU SERVICE 06/01/2005	EQUIPMENT NUMBER N° DU MATERIEL	FROM/AT DE/A FROM ZTS DU ZTS	MUNDELEIN, IL	TO JUSQU'À TO ZTS AU ZTS		
OS COMPLETE DATE DATE FIN DU SERVICE 06/30/2005	REF. WAYBILL / FR DE REF. SHIPPER / EXPÉDITEUR NO. N	PARADE PACKAGING MATERIAL CO	CONSIGNEE / DESTINATAIRE			
GROUNDED DATE DATE DE MISE AU SOL						
WEIGHT / POIDS						
LENGTH / LONGUEUR						
CAPACITY / CAPACITÉ						
KIND / TYPE						
IC-SCAC						
JCT-R260						
FROM/DU SCAC						
TO/AU SCAC						
CN						

STCC

DESCRIPTION	QUANTITY QUANTITE	RATE PRIX	CHARGES FRAIS
DEMURRAGE			
SERVICE RENDERED 1 OF 1			
PER DAY	61.0000	50.00	3,050.00
		-----	-----
			3,050.00

RATE LINE 1: TARIFF:CN 009000 ITEM 6060

ADDITIONAL INFORMATION

PVT EQUIP UNLOADS HELD ON CN TRACKS - ALL

HST/GST No. / No TVH/TPS 10076 8779 RT0001
QST No. / No TVQ 1000043156 X0 0514
OS No. / No serv. fact. 929449

STATEMENT No.
NO ETAT DE COMPTE 480392554

PAY THIS AMOUNT IN USD FUNDS IF NOT ALREADY PAID
MONTANT À PAYER EN DEVISES USD SI NON DÉJÀ PAYÉ
\$3,050.00

AUTO
For Information Pour renseignements

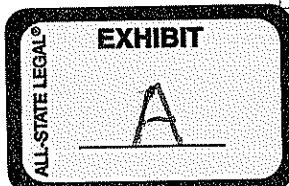
MAKE CHECK PAYABLE TO:
LIBELLER LE CHEQUE À L'ORDRE DE:

CN

P.O. BOX 71206
CHICAGO, IL
60694-1206
WWW.CN.CA

PLEASE QUOTE INVOICE NUMBER /
VEUILLEZ RAPPELER LE N° DE
FACTURE:

750883147





PAGE: 1

**Invoice
Optional Services**

DEMURRAGE

PARADE PACKAGING MATERIAL CO
ACCTS. PAYABLE
262 S SHADDLE AVE
MUNDELEIN IL 60060

**Facture
Services Optionnels**

REDEVANCES DE STATIONNEMENT

PATRON No / N° CLIENT 636150 ZY

INVOICE / FACTURE	CUSTOMER REFERENCE NUMBER NUMÉRO DE RÉFÉRENCE DU CLIENT
MM/DD/YYYY 09/14/2005	NO. / N° 750885381

OS START DATE DATE DE DÉBUT DU SERVICE	EQUIPMENT NUMBER N° DU MATERIEL	FROM/AT DE / À	MUNDELEIN, IL	TO JUSQU'À
07/01/2005		FROM ZTS DU ZTS		TO ZTS AU ZTS
OS COMPLETE DATE DATE DE FIN DU SERVICE	REF. WAYBILL / FR DE REF. MM/DD/YYYY NO. N	SHIPPER / EXPÉDITEUR		CONSIGNEE / DESTINATAIRE
07/31/2005		PARADE PACKAGING MATERIAL CO		

GROUNDING DATE DATE DE MISE AU SOL	WEIGHT / POIDS	LENGTH / LONGUEUR	CAPACITY / CAPACITÉ	KIND / TYPE	IC-SCAC	JCT-R260	FROM/DU SCAC	TO/AU SCAC
					CN			

STCC

DESCRIPTION	QUANTITY QUANTITÉ	RATE PRIX	CHARGES FRAIS
DEMURRAGE			
SERVICE RENDERED 1 OF 1			
PER DAY	15.0000	50.00	750.00
		-----	750.00

RATE LINE 1: TARIFF:CN 009000 ITEM 6060

ADDITIONAL INFORMATION

PVT EQUIP UNLOADS HELD ON CN TRACKS - ALL

HST/GST No. / No TVH/TPS 10076 8179 RT0001
QST No. / No TVQ 1000043156 TO 0514
OS No. / No serv. fact. 948739

STATEMENT No.
No ÉTAT DE COMPTE 480393896

PAY THIS AMOUNT IN USD FUNDS IF NOT ALREADY PAID
MONTANT À PAYER EN DEVISES USD SI NON DÉJÀ PAYÉ
\$750.00

AUTO
For Information Pour renseignements

MAKE CHECK PAYABLE TO:
LIBELLER LE CHÈQUE À L'ORDRE DE:



P.O. BOX 71206
CHICAGO, IL
60694-1206
WWW.CN.CA

PLEASE QUOTE INVOICE NUMBER /
VEUILLEZ RAPPELER LE N° DE
FACTURE:

750885381

CN REPRESENTATIVE
(800) 822-6440
CHGSVSPONT@CN.CA



PAGE: 1

Invoice Optional Services

DEMURRAGE

PARADE PACKAGING MATERIAL CO
ACCTS. PAYABLE
262 S SHADDLE AVE
MUNDELEIN IL 60060

Facture Services Optionnels

REDEVANCES DE STATIONNEMENT

PATRON No / N° CLIENT 636150 ZY

INVOICE / FACTURE	CUSTOMER REFERENCE NUMBER NUMÉRO DE RÉFÉRENCE DU CLIENT
MM/DD/YYYY 09/15/2005	NO. / N° 750886760

OS START DATE DATE DE DÉBUT DU SERVICE	EQUIPMENT NUMBER N° DU MATERIEL	FROM/AT DE / A	MUNDELEIN, IL	TO JUSQU'À
08/01/2005		FROM ZTS DU ZTS		TO ZTS AU ZTS
OS COMPLETE DATE DATE DE FIN DU SERVICE	REF. WAYBILL / FR DE REF. SHIPPER / EXPÉDITEUR	MM/DD/YYYY NO. N		CONSIGNEE / DESTINATAIRE
08/31/2005	PARADE PACKAGING MATERIAL CO			

GROUNDING DATE DATE DE MISE AU SOL	WEIGHT / POIDS	LENGTH / LONGUEUR	CAPACITY / CAPACITÉ	KIND / TYPE	IC-SCAC	JCT-R260	FROM/DU SCAC	TO/AU SCAC
					CN			

STCC

DESCRIPTION	QUANTITY QUANTITÉ	RATE PRIX	CHARGES FRAIS
DEMURRAGE			
SERVICE RENDERED 1 OF 1			
PER DAY	9.0000	50.00	450.00
		-----	450.00

RATE LINE 1: TARIFF:CN 009000 ITEM 6060

ADDITIONAL INFORMATION

PVT EQUIP UNLOADS HELD ON CN TRACKS - ALL

HST/GST No. / No TVH/TPS 10076 8779 RT0001
QST No. / No TVQ 1000043156 TO 0514
OS No. / No serv. faci. 967577

AUTO
For Information Pour renseignements

STATEMENT No.
No ÉTAT DE COMPTE 480394390

MAKE CHECK PAYABLE TO:
LIBELLER LE CHÈQUE À L'ORDRE DE:



CN REPRESENTATIVE
(800) 822-6440
CHGVSPOINT@CN.CA

P.O. BOX 71206
CHICAGO, IL
60694-1206
WWW.CN.CA

PAY THIS AMOUNT IN USD FUNDS IF NOT ALREADY PAID
MONTANT À PAYER EN DEVISES USD SI NON DÉJÀ PAYÉ
\$450.00

PLEASE QUOTE INVOICE NUMBER /
VEUILLEZ RAPPELER LE N° DE
FACTURE:

750886760



PAGE: 1

**Invoice
Optional Services**

DEMURRAGE

PARADE PACKAGING MATERIAL CO
ACCTS. PAYABLE
262 S SHADDE AVE
MUNDELEIN IL 60060

**Facture
Services Optionnels**

REDEVANCES DE STATIONNEMENT

PATRON No / N° CLIENT 636150 ZY

INVOICE / FACTURE	CUSTOMER REFERENCE NUMBER NUMÉRO DE RÉFÉRENCE DU CLIENT
MM/DD/YYYY 11/17/2005	NO. / N° 750927823

OS START DATE DATE DE DÉBUT DU SERVICE	EQUIPMENT NUMBER N° DU MATERIEL	FROM/AT DE / À	MUNDELEIN, IL	TO JUSQU'À
10/01/2005		FROM ZTS DU ZTS		TO ZTS AU ZTS
OS COMPLETE DATE DATE DE FIN DU SERVICE	REF. WAYBILL / FR DE REF. MM/DD/YYYY NO. N	SHIPPER / EXPÉDITEUR		CONSIGNEE / DESTINATAIRE
10/31/2005		PARADE PACKAGING MATERIAL CO		

GROUNDING DATE DATE DE MISE AU SOL	WEIGHT / POIDS	LENGTH / LONGUEUR	CAPACITY / CAPACITÉ	KIND / TYPE	IC-SCAC	JCT-R260	FROM/DU SCAC	TO/AU SCAC
							CN	

STCC

DESCRIPTION	QUANTITY QUANTITÉ	RATE PRIX	CHARGES FRAIS
DEMURRAGE			
SERVICE RENDERED 1 OF 1			
PER DAY	10.0000	50.00	500.00
		-----	500.00
			500.00

RATE LINE 1: TARIFF:CN 009000 ITEM 6060

ADDITIONAL INFORMATION

PVT EQUIP UNLOADED ON CN TRACK - ALL

HST/GST No. / No TVH/TPS 10076 8779 RT0001
QST No. / No TVQ 1000043156 TQ 0514
OS No. / No serv. fact. 100471

AUTO
For Information Pour renseignements

STATEMENT No.
No ÉTAT DE COMPTE 480413389

MAKE CHECK PAYABLE TO:
LIBELLER LE CHÈQUE À L'ORDRE DE:

P.O. BOX 71206
CHICAGO, IL
60694-1206
WWW.CN.CA

PAY THIS AMOUNT IN USD FUNDS IF NOT ALREADY PAID
MONTANT À PAYER EN DEVISES USD SI NON DÉJÀ PAYÉ
\$500.00

PLEASE QUOTE INVOICE NUMBER /
VEUILLEZ RAPPELER LE N° DE
FACTURE:

750927823

CN REPRESENTATIVE
(800) 822-6440
CHGSPVPOINT@CN.CA



PAGE: 1

**Invoice
Optional Services**

DEMURRAGE

PARADE PACKAGING MATERIAL CO
ACCTS. PAYABLE
262 S SHADDE AVE
MUNDELEIN IL 60060

**Facture
Services Optionnels**
REDEVANCES DE STATIONNEMENT

PATRON No/Nº CLIENT 636150 ZY

INVOICE / FACTURE	CUSTOMER REFERENCE NUMBER / NUMÉRO DE RÉFÉRENCE DU CLIENT
MM/DD/YYYY 01/20/2006	NO./Nº 750967396

OS START DATE DATE DE DÉBUT DU SERVICE 12/01/2005	EQUIPMENT NUMBER Nº DU MATERIEL	FROM/AT DE / A	MUNDELEIN, IL	TO JUSQU'À
		FROM ZTS DU ZTS		TO ZTS AU ZTS
OS COMPLETE DATE DATE DE FIN DU SERVICE 12/31/2005	REF. WAYBILL / FR DE REF. NO. N	SHIPPER / EXPÉDITEUR		CONSIGNEE / DESTINATAIRE
		PARADE PACKAGING MATERIAL CO		

GROUNDING DATE DATE DE MISE AU SOL	WEIGHT / POIDS	LENGTH / LONGUEUR	CAPACITY / CAPACITÉ	KIND / TYPE	IC-SCAC	JCT-R260	FROM/DU SCAC	TO/AU SCAC
							CN	

STCC

DESCRIPTION	QUANTITY QUANTITÉ	RATE PRIX	CHARGES FRAIS
DEMURRAGE			
SERVICE RENDERED 1 OF 1			
PER DAY	42.0000	50.00	2,100.00

			2,100.00

RATE LINE 1: TARIFF:CN 009000 ITEM 6060

ADDITIONAL INFORMATION

PVT EQUIP UNLOADED ON CN TRACK - ALL

HST/GST No./No TVH/TPS 10076 8779 RT0001 GST No./No TVQ 100043156 TQ 0514 OS No./No serv. fact. 104402	STATEMENT No. Nº ÉTAT DE COMPTE 480432924	PAY THIS AMOUNT IN USD FUNDS IF NOT ALREADY PAID MONTANT À PAYER EN DEVISES USD SI NON DÉJÀ PAYÉ \$2,100.00
AUTO For Information Pour renseignements	MAKE CHECK PAYABLE TO: LIBELLER LE CHÈQUE À L'ORDRE DE:	
CN CN REPRESENTATIVE (800) 822-6440 CHGSVSPPOINT@CN.CA	P.O. BOX 71206 CHICAGO, IL 60694-1206 WWW.CN.CA	PLEASE QUOTE INVOICE NUMBER / VEUILLEZ RAPPELER LE Nº DE FACTURE: 750967396



PAGE: 1

Invoice Optional Services

EXTENDED ASSET USE (DEMURRAGE)

Facture Services Optionnels

STATIONNEMENT PROLONGÉ

PARADE PACKAGING MATERIAL CO
ACCTS. PAYABLE
262 S SHADDLE AVE
MUNDELEIN IL 60060

PATRON No / N° CLIENT 636150 ZY

INVOICE / FACTURE	CUSTOMER REFERENCE NUMBER NUMÉRO DE RÉFÉRENCE DU CLIENT
03/01/2006	750991545

OS START DATE DATE DE DÉBUT DU SERVICE	EQUIPMENT NUMBER N° DU MATERIEL	FROM/AT DE / À	MUNDELEIN, IL	TO JUSQU'À
01/01/2006		FROM ZTS DU ZTS		TO ZTS AU ZTS
OS COMPLETE DATE DATE DE FIN DU SERVICE	REF. WAYBILL / FR DE REF. SHIPPER / EXPÉDITEUR MM/DD/YYYY NO. N			CONSIGNEE / DESTINATAIRE
01/31/2006			PARADE PACKAGING MATERIAL CO	

GROUNDING DATE DATE DE MISE AU SOL	WEIGHT / POIDS	LENGTH / LONGUEUR	CAPACITY / CAPACITÉ	KIND / TYPE	IC-SCAC	JCT-R260	FROM/DU SCAC	TO/AU SCAC
					CN			

STCC

DESCRIPTION	QUANTITY QUANTITÉ	RATE PRIX	CHARGES FRAIS
EXTENDED ASSET USE (DEMURRAGE)			
SERVICE RENDERED 1 OF 1			
PER DAY	132.0000	50.00	6,600.00
		-----	6,600.00

RATE LINE 1: TARIFF:CN 009000 ITEM 6060

ADDITIONAL INFORMATION

PVT EQUIP UNLOADED ON CN TRACK - ALL

HST/GST No. / No TVH/TPS 10076 8779 RT0001
QST No. / No TVO 100043156 TO 0514
OS No. / No serv. fact. 1083366

STATEMENT No.
No ÉTAT DE COMPTE 480445802

PAY THIS AMOUNT IN USD FUNDS IF NOT ALREADY PAID
MONTANT À PAYER EN DEVISES USD SI NON DEJA PAYÉ
\$6,600.00

AUTO
For Information Pour renseignements

MAKE CHECK PAYABLE TO:
LIBELLER LE CHÈQUE À L'ORDRE DE:



P.O. BOX 71206
CHICAGO, IL
60694-1206
WWW.CN.CA

PLEASE QUOTE INVOICE NUMBER /
VEUILLEZ RAPPELER LE N° DE
FACTURE:

750991545

CN REPRESENTATIVE
(800) 822-6440
CHGSPVSP@CN.CA